

Below is the Order of the Court.



  
**Marc Barreca**  
**U.S. Bankruptcy Judge**

(Dated as of Entered on Docket date above)

**IN THE UNITED STATES BANKRUPTCY COURT**  
**WESTERN DISTRICT OF WASHINGTON**  
**AT SEATTLE**

In re

Christine Tavares,  
Debtor.

Bankruptcy Case No. 16-14901-MLB

Christine Tavares,  
Plaintiff,

Adversary Case No. 18-01002-MLB

-vs.-

Alabama Housing Finance Authority, a foreign  
public corporation doing business in  
Washington as ServiSolutions,  
Defendant.

**ORDER ON DEFENDANT'S**  
**AMENDED MOTION TO DISSOLVE**  
**INJUNCTION AND FOR**  
**DISBURSEMENT OF FUNDS**

This matter came before the Court on Defendant Alabama Housing Finance Authority's ("Defendant") Amended Motion to Dissolve Injunction and For Disbursement of Funds on Deposit with the Clerk of Court. (Dkt. No. 89).

On November 7, 2018, the Court entered an Order (Dkt. No. 83) granting the Defendant's Motion to Dismiss Plaintiff Christine Tavares' ("Plaintiff") Second Amended Complaint. As a result of the Court's Order, the Plaintiff's Second Amended Complaint was dismissed with

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1 prejudice, without leave to amend. However, the Order expressly retained jurisdiction over the  
2 Plaintiff's Adversary Proceeding for the limited purposes of addressing whether to dissolve the  
3 temporary restraining order enjoining a foreclosure sale of the underlying property as well as the  
4 distribution of the funds on deposit with the Clerk of Court, U.S. District Court for the Western  
5 District of Washington (Seattle).

6 Thereafter, the Plaintiff filed a Motion for Reconsideration. (Dkt. No. 86). After having  
7 considered the Motion for Reconsideration, the relevant pleadings, the applicable legal authority  
8 as well as Federal Rule of Bankruptcy Procedure 9023, Federal Rule of Civil Procedure 59(e),  
9 Local Bankruptcy Rule for the Western District of Washington 9013-1(h), and Local Civil Rule  
10 for the U.S. District Court for the Western District of Washington 7(h), on December 21, 2108,  
11 the Court entered an Order DENYING the Plaintiff's Motion for Reconsideration.

12 Due to the lack of a filing in opposition to the Defendant's Amended Motion to Dissolve  
13 Injunction and For Disbursement of Funds on Deposit with the Clerk of Court (the "Motion")  
14 (Dkt. No. 89) and having considered the relevant pleadings, the applicable legal authority, and  
15 being fully advised for these reasons, the Court GRANTS the Motion. Accordingly, it is hereby  
16 ORDERED:

17 (1) That the injunction previously entered dissolved *ipso facto* upon the entry of the final  
18 judgment in the Adversary Proceeding (Dkt. No. 83),

19 (2) The Clerk of Court, in accordance with Local Civil Rule 67(b), is authorized and  
20 directed to draw a check on the funds deposited in the registry of the Court in the  
21 principal amount of \$29,934.58, plus all accrued interest, minus any statutory fees,  
22 payable to ServiSolutions and is to mail the check to ServiSolutions, and

23 (3) The Defendant is directed to provide the Clerk of Court with the following  
24 information regarding the disbursement recipient, ServiSolutions: the address for the  
25 mailing of the check and its Tax Identification Number.  
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